## Remarks

**Reconsideration and allowance of this application are respectfully requested in view of the foregoing amendments and the following arguments.**

**The Examiner rejected the original claims 1-20 as follows:**

**(1) Claim 9 was rejected under 35 U.S.C. 112, second paragraph for indefiniteness. This was overcome by new claim 28 which corresponds to claim 9.**

**(2) Claims 1-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Tavallaei. Applicant respectfully submits that this rejection is not well taken as will be demonstrated herein.**

**This amendment cancels claims 1-20 in favor of new claims 21-38.**

**New claim 21 corresponds to a combination of original claims 1 and 2, wherein the limitations of claim 2 have been inserted into claim 1.**

**New claims 22-28 correspond to original claims 3-9, respectively.**

**New claim 29 corresponds to a combination of original claims 10 and 11 wherein the limitations of claim 11 have been inserted into claim 10.**

**New claims 30-38 correspond to original claims 12-20, respectfully.**

**It will thus be evident that new claims 21-38 do not introduce any issues with regard to patentability which were not already presented by the original claims.**

**The patentability of new claims 21-38 will next be considered.**

**It is well recognized that, for an obviousness rejection under 35 U.S.C. 103(a), the Examiner has the initial burden of making a prima facie case of obviousness by the presentation of adequate evidence (e.g. see In re Thrift, 63 USPQ2d2002 (CAFC 9/9/02)). Additionally, the cited prior art must teach or suggest all the claim limitations without using the teachings of applicant's disclosure or any other**

impermissible hindsight. (e.g.see In re Valeck, 20 USPQ 2d 1438 (CAFC 199)). Also, see MPEP 2143.01.

With regard to the evidence required to provide a prima facie showing of obviousness, note In re Lee, (USPQ2d1430 (CAFC 1/18/02) which holds that an obviousness determination may not substitute the common knowledge of one skilled in the art for the required specific evidentiary support required for a 35 U.S.C. 103 rejection. Also, see MPEP 2144.03 which sets forth the procedure required in order for an Examiner to rely on common knowledge or to take official notice in order to support a rejection.

Initially, it is significant to note that the subject matter of Tavallaei is very different from that of the present invention. Tavallaei is directed to a computer system having redundant devices that are periodically checked in order to determine whether the redundant devices would be operational if the primary devices failed. Tavallaei does not in the first instance teach a distributed power control system, much less the specific distributed power control system defined by new claims 21-38, as will now be demonstrated.

With respect to new claims 21 and 29 (the only independent claims) the primary issue is whether Tavallaei teaches controlling of the regulated voltage level by the processor, as set forth in these claims. In this regard, note that new claims 21 and 29 also include limitations regarding the monitoring and controlling added by the insertion of the limitations of claims 2 and 11, in claims 1 and 10 respectively in forming respective claims 21 and 29.

The Examiner admits that "Tavallaei does not explicitly teach that the processor controls the regulated voltage level." The Examiner then goes on to state that such would be obvious to one skilled in the art since "the processor is the brain of the board and is used for controlling all of the activities of the board and all of the signals the board received including power signal." Applicant respectfully submits that this statement is not only totally unsupported in the manner required by MPEP

2144.03, but also is not true, since, for example, it is not unusual for a voltage regulator to operate independently of a processor.

Still further, the particular control by the processor set forth in claims 21 and 29 by the limitations derived from original claims 2 and 11, respectively, are likewise not met. The references to Tavallaei relied on the by the Examiner are clearly insufficient and do not address the specific control recited for the processor in these claims.

As for the processor control set forth in the dependent claims, these also are not adequately shown by the Examiner to be taught by Tavallaei, since the specific recited processor control is not addressed. For example, in paragraph 10 on page 3, of the Action, the Examiner states: "Regarding claims 6-8 and 15, Tavallaei teaches that the boards are microprocessor boards. Therefore, one of ordinary skill in the art would have recognized that it would have been obvious for boards to have signaling interface for receiving instructions which will be process by the processors." Again there is not only no documentary evidence supporting such statement, but also the specific processor control recited is not addressed.

In view of the foregoing, applicant respectfully submits that all of the presently active claims 21-38 are allowable.

Allowance of this application is accordingly respectfully solicited.

Respectfully Submitted,
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